

BILL NO. S-90-11-06

SPECIAL ORDINANCE NO. S-280-90

AN ORDINANCE approving CONTRACT FOR RES. #218-90, STREET LIGHTING MAINTENANCE & UNIT PRICE between T & F CONSTRUCTION CORPORATION and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONTRACT FOR RES. #218-90, STREET LIGHTING MAINTENANCE & UNIT PRICE by and between T & F CONSTRUCTION CORPORATION and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

1. RELAMPING UNIT - to consist of 1 person and bucket type line truck suitably equipped for relamping and maintenance work. 2. TWO MAINTENANCE CREWS - to consist of 3 or more member crew equipped to perform maintenance, repair and construction on underground and overhead street light system including a pickup truck, line truck with boom and earth auger and a bucket truck w/50 foot working height available for use at all times. 3. TROUBLE SHOOTING UNIT - to consist of 1 person and 1 truck which should be available at all times to handling accidents and emergencies. 4. UNIT PRICE ITEMS- Unit price list for Street Light Construction;

the Contract price is Four Hundred Eighty Thousand and no/100 Dollars (\$480,000.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

PAGE 2

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

CONTRACT 218-90

CITY OF FORT WAYNE

THIS CONTRACT, made the 17th day of Oct.,
1990, by and between T & F Construction Corp.
whose address is Highway 38 West,
Hagerstown, IN 47346 hereinafter called

"Contractor," and the City of Fort Wayne, Allen County, Indiana, a
municipal corporation acting by and through its Board of Public Works
and Safety hereinafter called the "owner;"

W I T N E S S E T H:

THAT the Contractor and the Owner for the
consideration stated herein agree as follows:

ARTICLE I.

SCOPE OF WORK

The Contractor shall and agrees to perform everything required to
be performed and shall provide and furnish at its sole cost and
expense all the labor, tools, materials, expendable equipment,
transportation, services, bonds and insurance required to perform
and to complete in a workmanlike manner all the work required for
the maintenance of the street lighting system of the City of Fort
Wayne in furnishing equipment and materials on a unit price
hereinafter specified in the specifications and other contract
documents which are hereby made a part of this contract; and the
Contractor shall do everything required by this contract and the
other documents constituted a part hereof.

This contract is included for bidders' reference and may be modified prior to award pending a review currently underway by the City's Legal Department.

ARTICLE II.

COMPONENT PARTS OF THIS CONTRACT

This contract consists of the following component parts all of which are as fully a part of this contract as if set out verbatim herein or if not attached as if hereto attached.

- 1.) Notice to Bidders.
- 2.) Instructions to Bidders
- 3.) Specifications
- 4.) Proposal Form.
- 5.) Form 96
- 6.) Statement of Experience and Electrical Maintenance.
- 7.) Performance Bond.
- 8.) This Contract.
- 9.) Insurance Certificates.
- 10.) EEO/AA Documents (2) Exhibit "D."

ARTICLE III.

THE CONTRACT PRICE

The Owner shall and agrees to pay to the Contractor for the performance of the aforementioned work as bid by the successful bidder as follows (the unit prices in the bid proposal consisting of thirteen pages are hereby incorporated herein by reference):

ARTICLE IV.

TERM OF THE CONTRACT

This contract shall remain in force from the 1st day of December, 1990, until the 30th day of November, 1992, unless cancelled by the City for lack of performance, lack of cooperation, substandard workmanship, non-payment of creditors or for the convenience of the owner.

ARTICLE V.

INSURANCE AND INDEMNIFICATION

The Contractor agrees to provide workers' compensation insurance and public liability and property damage insurance under the terms and conditions set forth in the General Specifications and Covenants and agrees to hold the Owner harmless from all suits and damages, as more specifically set out and provided in said General Specifications.

ARTICLE VI.

ASSIGNMENT OF CONTRACT

It is agreed that the Contractor shall not assign or transfer this contract or sublet any part of the work empowered in it, except with the written consent of Owner.

ARTICLE VII.

APPROVAL OF CONTRACT

This contract although executed on behalf of the owner by its Mayor and Board of Public Works and Safety shall not be binding or obligatory upon the Owner unless and until it shall have been first approved by the Common Council of the City of Fort Wayne

and should the Common Council of the City fail to approve the same within thirty (30) days after the date hereof, this contract shall become and be wholly void.

To each of the conditions and stipulations of this contract, the undersigned for itself binds itself and its successors and assigns.

IN WITNESS WHEREOF, we the foregoing named parties hereunto have set our hands and seals on the day and year first above written.

T & F CONSTRUCTION CORP.

CONTRACTOR

BY: J. L. Taber PRESIDENT.
J. L. TABER

CITY OF FORT WAYNE INDIANA

BY: _____
Paul Helmke, Mayor

~~BOARD OF PUBLIC WORKS &
SAFETY~~

BY: _____
Chuck E. Layton
Director of Public Works

BY: _____
Douglas M. Lehman
Director of Administration
and Finance

BY: _____
Michael McAlexander
Director of Public Safety

APPROVED AS TO FORM
AND LEGALITY

Chris Byrne

CITY CLERK

Read the first time in full and on motion by Spring, seconded by Talarico, and duly adopted, read the second time title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, at _____ o'clock _____ M., E.S.

DATED: 11-13-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Schmidt, seconded by Long, and duly adopted, placed on its passage. PASSED 1990 by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO				<u>✓</u>

DATED: 11-27-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. A-280-90 on the 27th day of November, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1990 at the hour of 2:00 o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of November 1990, at the hour of 8:45 o'clock _____ M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr.

TITLE OF ORDINANCE: Contract for Res. #218-90, Street Lighting Maintenance and Unit Price.

DEPARTMENT REQUESTING ORDINANCE: Board of Public Works & Safety

SYNOPSIS OF ORDINANCE: The Contract for Res. #218-90, Street Lighting Maintenance and Unit Price is for the following. 1. RELAMPING UNIT - to consist of 1 person and bucket type line truck suitably equipped for relamping and maintenance work. 2. TWO MAINTENANCE CREWS - to consist of 3 or more member crew equipped to perform maintenance, repair and construction on underground and overhead street light system including a pickup truck, line truck with boom and earth auger and a bucket truck w/50 foot working height available for use at all times. 3. TROUBLE SHOOTING UNIT - to consist of 1 person and 1 truck which should be available at all times to handling accidents and emergencies. 4. UNIT PRICE ITEMS - Unit price list for Street Light Construction. T & F Construction Corporation of Indiana is the Contractor.

EFFECT OF PASSAGE: Maintenance of city street lights.

EFFECT OF NON PASSAGE:

S-90-11-06

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$480,000

ASSIGNED TO COMMITTEE:

BILL NO. S-90-11-06

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving CONTRACT FOR
RES. #218-90, STREET LIGHTING MAINTENANCE & UNIT PRICE between
T & F CONSTRUCTION CORPORATION and the City of Fort Wayne, Indiana,
in connection with the Board of Public Works and Safety

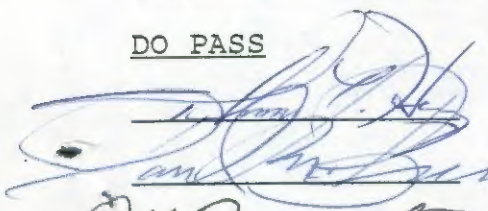
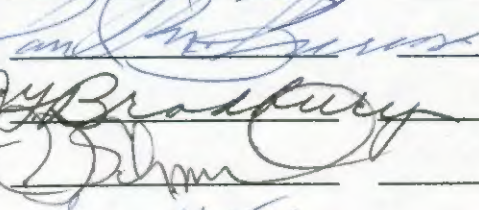
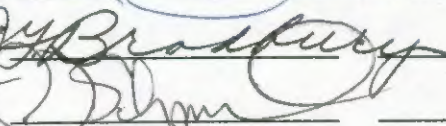
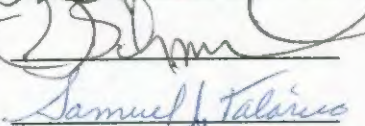
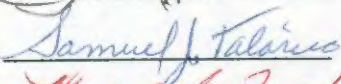

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~(RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 11-27-90.

Sandra E. Kennedy
City Clerk